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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore [Mr. GOODLATTE].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 18, 1995.

I hereby designate the Honorable BOB GOODLATTE to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

O gracious God, You have made the heavens and the Earth and given to Your people the miracles of life. Now it is our prayer that we will use the gifts You have freely given by translating our good words and noble intent into actions that promote justice and respect one for another. We admit that it is easy to talk about Your blessings and yet we can neglect to see those blessings in another's work. Open our eyes to see the truth as best we can, open our ears to truly hear, and open our hands in the spirit of shared commitment and mutual concern. In Your name, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York [Mr. SOLOMON] come forward and lead the House in the Pledge of Allegiance.

Mr. SOLOMON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that 1-minute will be entertained at a later time.

WAIVING PROVISIONS OF CLAUSE 4(b), RULE XI, AGAINST CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM COMMITTEE ON RULES

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 276 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on or before the legislative day of November 23, 1995, providing for consideration or disposition of any of the following measures:

(1) The bill (H.R. 2491) to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(2) Any bill making general appropriations for the fiscal year ending September 30, 1996, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

The SPEAKER pro tempore. The gentleman from Florida [Mr. DIAZ-BALART] is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILEN-SON], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, House Resolution 276 waives clause 4(b) of rule XI, which requires a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee, against the same-day consideration of resolutions reported from the Committee on Rules, on or before the legislative day of November 23, 1995.

This resolution covers special rules that provide for the consideration or disposition of the bill, H.R. 2491, providing for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996, any amendment, any conference report, or any amendment reported in disagreement from a conference report thereon; and, to the consideration or disposition of any measure making general appropriations for the fiscal year ending September 30, 1996.

Mr. Speaker, as mentioned when the House first considered the two-thirds waiver for the continuing appropriations resolution which the House passed on Thursday, November 16, House Resolution 276 is an expedited procedure to facilitate the same-day consideration of urgent legislative matters. Facilitating the passage of appropriations bills, and adopting a balance budget plan that will eliminate the Federal deficit in 7 years, are clearly urgent fiscal, legislative matters. The sooner we can pass the individual spending bills, the sooner Federal employees can be assured of a paycheck.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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The House has now passed all 13 requisite appropriations bills, and 4 have now been signed into law: Military construction, agriculture, energy and water, and transportation. Soon, the President will have the opportunity to sign legislation to fund Treasury, postal, executive branch, and legislative branch employees, and I am hopeful that excessive partisanship will not keep him from signing this important legislation.

While spending priorities are continuing to be negotiated with both the Senate and the President, it is important that the House be able to act immediately on the floor to consider any rule that deals with balancing the Federal budget and with any measure providing funds for expired appropriations.

Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSEN. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Florida, [Mr. DIAZ-BALART], for yielding the customary 30 minutes of debate time to me.

Mr. Speaker, we do not object to this resolution.

When we were in the majority, our Republican colleagues generally supported our requests to waive the two-thirds rule requirement. We obviously want to support any reasonable request to expedite the business of the House.

We are, however, fully aware of the circumstances that require the House to approve this waiver of the rule that requires a two-thirds vote to consider a rule on the same day it is reported.

We really ought not to be in this situation, waiving standing rules of the House to wrap up major items on the legislative agenda in this rushed manner.

This particular resolution permits the House to take up the reconciliation bill as sent back to us by the Senate. It can certainly come as no surprise that several provisions, many of them very controversial, were removed from the reconciliation conference report by the Senate because of the Byrd rule.

This resolution will enable us to take up later today the rule and the Senate amendment to the House-passed reconciliation bill. We do not understand why the conferees agreed to a conference report they knew would fall apart because of the Byrd rule, forcing us to meet today to clean up after them.

The resolution also permits the House to take up any general appropriations measure as well. We Democrats support moving as many of them as possible so that the Government can return to full operations.

We do not think it is inaccurate to say that any problems the Democrats have with the bills are not the reasons they are stuck in conference, or in the Senate, and have not been sent to the President.

It is the very controversial and major policy matters that have been added to appropriations bills by the majority, in

violation of our rules, that are for the most part causing intractable disagreements between Republican members of the other body and Republican members of the House and that are delaying the enactment of most of the outstanding appropriations measures.

If we cannot pass each of the remaining appropriations bills, then we encourage our colleagues on the other side of the aisle to seriously consider passing a continuing appropriations measure that is clean and straightforward.

We think that is the right thing to do; that is the only way we can treat the citizens of this country and Federal employees fairly. We should not be voting on conference agreements that this rule will help us consider more quickly without having enough time to evaluate the contents as thoroughly as we should.

Mr. Speaker, we repeat we are not opposing this rule because we remain more than ready to expedite in a responsible manner the business of the House.

Mr. Speaker, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. HOKE], my distinguished colleague.

Mr. HOKE. Mr. Speaker, I thank the gentleman for yielding time to me. I particularly thank the distinguished gentleman from Florida [Mr. DIAZ-BALART], who also is a distinguished graduate of a great law school in Cleveland, OH, Case Western.

Mr. Speaker, I think that The Washington Post tells it all this morning: "Talks on 7-year Balanced Budget 'Goal' Collapse." According to the report, the President's chief of staff, Leon Panetta, told reporters, "We have made what I believe is a reasonable offer," and their offer was, instead of using the words "firm commitment," which was what was in the continuing resolution, the President, the White House, will agree to using the word "goal."

Mr. Panetta goes on to say:

The purpose was to get people back to work and present Members of Congress with an approach that preserves everyone's options.

It could not possibly be more clear. The one option, the only option that is unacceptable is that we do not balance the budget in 7 years, and apparently that is the one single option that the White House wants to maintain. They want it to be a goal; we want it to be a firm commitment. Nothing about how we get there, nothing about whether we raise taxes or lower taxes, what we do with Medicare part B premiums, what we do with Medicare part A trust funds, nothing about how we spend the money, how we do not spend the money; none of that is in the continuing resolution.

The only thing that our continuing resolution says that was passed by this Congress in a bipartisan manner with

48 Members among my friends from the other side, the only thing it says is that we are committed to balancing the budget. The President wants it to be a goal to balance the budget.

Now, I ask my colleagues, what does that say? Is it not obvious that if the wiggle-worm you want is that it is a goal rather than a commitment, you are clearly saying you do not want to balance the budget. That is what it boils down to. It is crystal-clear.

Mr. Speaker, I appreciate deeply Mr. Panetta making it more and more clear on a daily basis, so that the American people can see that the real difference here between the White House and the Congress is a genuine, absolute unqualified commitment to bringing prosperity, to bringing something that our children deserve, to bringing a balanced budget to the United States of America for the first time in 25 years.

Mr. BEILENSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. OBEY], the distinguished ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I had not intended at this early hour to begin rehashing this stuff again, but given the comments of the last speaker, I think I need to make a few observations.

Mr. Speaker, we are here on Saturday working on a weekend at the same time most Government workers are being prevented from working on weekdays because we have an impasse over the continuing resolution. The continuing resolution is necessitated by the fact that this Congress has not done its work.

We still have over 85 percent of the appropriations part of the Federal budget which has not yet been approved by the Congress; and because of that, we have to have a resolution continuing the financing of the Government. Our friends on the Republican side of the aisle, led by Mr. GINGRICH, are using the fact that Congress has not done its work to try to spill other issues into the continuing resolution; and they want to get a debate going before we even sit down in conference on the budget, and they want to get a debate going dealing with the issues involved in the 7-year budget.

Now, it just seems to me that there is no useful purpose to be served by continuing that linkage. The gentleman from Ohio [Mr. HOKE] just said that because the President is objecting to the language that the Speaker wanted with respect to 7 years, that somehow that means the President does not want to balance the budget.

□ 0915

That is nonsense. Let's simply stipulate facts.

The House, in dragging an extraneous issue into this discussion is saying that they want us to achieve a balanced budget in 7 years using the economic assumptions of the Congressional

Budget Office. Period. And they want the White House to sign on to that statement. That is impossible for the White House to do, because that is not the White House position. It is perfectly reasonable for the Congress to state its own position in a continuing resolution. It is not reasonable for the Congress to expect that the President sign on to a statement that he does not believe in.

The issue is very simple. The President has indicated that he would like to see a balanced budget, but the timetable is going to be determined frankly by the size of the tax cut. Obviously if you are going to need \$200 billion extra on the tax side, it is going to take you longer to reach a budget balance than if you are going to have zero dollars on the tax side.

The President also wants to remain flexible in terms of the timetable because that timetable is also determined to some extent by the way you measure the budget, whether the Congressional Budget Office measures it or somebody else. So basically the administration has wanted to go into these negotiations with no preconditions, and the majority party in this House seeks to impose preconditions before the negotiations ever start.

But you have two illegitimate approaches in my view. You first of all have an extraneous issue of what the timetable is going to be on another bill being debated in the process when all we need to do to solve this problem is to pass a simple, clean continuing resolution, and then in addition to that they want to drag in yet another extraneous condition demanding that the President go into the negotiations with the same set of assumptions held by the Speaker of the House.

That simply is not factual to expect the President to buy those assumptions, and it seems to me the height of unreasonableness to drag the entire country through this debate simply because the Speaker wants the President to say: "I agree with every assumption held by Mr. GINGRICH." The fact is he does not, and whatever continuing resolution that is passed ought to simply admit that. It should not get into the issue at all, but if it insist, it ought to simply admit that there are differences between the parties as we go into negotiations.

I also want to take just a moment to express my concern about what this rule is going to do when coupled with the next rule coming out of the Committee on Rules. We are being told that there will be put on suspension one bill which allows the continuation of three additional functions in the Government, but evidently it has been determined that no other functions in the Government ought to be allowed to continue.

It seems to be that the very fact that that bill is going to be brought before us demonstrates that the majority party recognizes that it is illegitimate to be holding up the Government. And

when that bill comes to the floor, we will face the question, well, if you are going to do it for certain aspects of the Social Security Administration or certain aspects of the Veterans' Administration, why should you not also allow people to continue their work if by doing so they can keep national parks open so that people do not have to spend a good deal of money to go on vacation only to find out the money has been wasted because of a silly spat in the Congress? Why should we not also expand it to provide for the continuation of all work necessary in the Justice Department to go after drug dealers? Why should we not also allow the Government to function in cases where, for instance, in the case of Gallaudet University, which is about to have to close because of this impasse, why should we not allow them to continue to operate? Why should we not allow all elderly nutrition activities at the Department of Health and Human Services to continue? Why should we not allow all civil rights and anti-discrimination law enforcement activities to continue?

There are a lot of other legitimate areas of activity. I have had a number of Republican Members of the House talk to me about concerns that they have about some of their constituents who cannot get passports and who have an immediate family crunch on their hands. But this is not going to allow that activity to continue.

It just seems to me that the previous speaker mentioned in a condemnatory tone the offer that Mr. Panetta made last night. Let me simply read the language that Mr. Panetta offered.

It says, "The goal of negotiations is to enact a budget agreement that balances the budget in 7 years under Congressional Budget Office economic assumptions, or in a timeframe and under economic assumptions agreed to by the negotiators."

I have a suggestion. If you do not like that as a goal, or as a commitment, put into the language whatever your commitment is and allow the President to put into the language whatever his commitment is, so that the two sides are simply stating the facts, without attacking each other, without trying to score points against each other. Just simply you state how you see the framing of the negotiations, and have the White House state how it sees the framing of the negotiations. Instead of debating each other, simply state the facts and move on.

What would be wrong with that? All the President is trying to convey is that the two sides are known to have an occasional disagreement on these issues, and I myself must say that I think you will find a lot of Members on this side of the aisle who are interested in a 7-year timetable to balance the budget provided that you are not providing huge tax cuts, especially to higher income people which force you to make deeper cuts in education, force you to make deeper cuts in Medicaid,

for instance, than we think would be justifiable. If those tax cuts are smaller you can speed up the time frame for balancing the budget. That is simple logic. I do not see why we need to get involved in a long, protracted debate that keeps 800,000 Government workers out of their offices just because we want to continue on this resolution to pretend that everybody is in agreement when they are not. Not on this resolution but on the other resolution that at this point is in the other body.

Mr. Speaker, I would simply urge our friends on the other side of the aisle to simply quit belaboring the point, allow the process to continue. I will have a number of motions that I will be making today on subsequent legislation before this House to try to expand the number of activities which are allowed to proceed. To me, when I look at the next bill coming, my impression from reading that bill is that somebody had decided, "Well, let's move on the three items that we are taking the most political heat on so that we can continue to hold everybody else hostage."

They may be convenient politically but it is not the right thing to do on the merits, it is not practical thing to do. We have no objection to expanding or to opening up of Government for those functions, but we think we ought to go beyond that and stop this institutional temper tantrum.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

It is precisely because the President and Congress are known to occasionally have a disagreement that the President when he submitted his budget recommended that the Congressional Budget Office be utilized to score his budget. All we are saying is that within the next 7 years when we balance the budget, we should use the Congressional Budget Office. That is the entity, because of its seriousness and its history and its competence, the President recommended be used when he came before us here to submit his own budgets.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding me time.

I do not know how we got off on to this. What we are considering here is a rule that is going to let us work today and expedite the work of the House. We all agree that we want to get the Government back running at 100 percent. We may disagree on how big we want the Government to be in the future. That does not have anything to do with this debate today. This rule if it is adopted is going to allow this Congress today to be able to take up bills like the Veterans and HUD appropriation bill that is terribly important that we get that to the President, the DC appropriations, that is very important,

especially to people around the Washington, DC, area; the Interior appropriations bill, the Commerce-Justice-State bill.

But the point I want to make is that the House has been moving legislation. I just had a conversation with my good friend, the gentleman from Maryland [Mr. HOYER], saying that the President will sign the Treasury-Post Office appropriation bill and the legislative bill just as soon as we get it there. I think he is going to sign all of these bills.

Let me tell you what we have done so far. Right now signed into law we have the military construction bill. That is already signed by the President. We have the Agriculture appropriation bill signed by the President. We have Energy and Water appropriations signed by the President. We have Transportation appropriations, signed by the President. That takes in a good hunk of the entire Government. Plus we have cleared for the President the legislative branch, which I just mentioned. That will be on its way to the President as soon as he says he is going to sign it. The Treasury-Post Office, that takes in a great hunk of the Government. The President evidently has said he is going to sign that. We are going to send that over there this morning. The national security defense bill. Terribly important. That bill is ready to go and will probably go this morning.

You can go right down the line. On the Veterans and HUD bill, as soon as I get a quorum of the Committee on Rules, we are going to go upstairs to the Committee on Rules, and I am going to put out a rule bringing that to the floor as soon as we possibly can. We are doing everything we can to be cooperative. But when I hear my good friend, the gentleman from Wisconsin [Mr. OBEY], take the well and kind of stir things up again, let us today try to cooperate and do the business of the House and get the Government back to work. We can do it if we put aside this partisan bickering.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his comments, and I think he is correct. If we put aside this partisan bickering, we could in fact move forward. My friend knows we do have differences. He and I are good friends and we differ on issues. Both sides of the aisle differ on issues. What we are trying to do is move this forward.

One of the frustrations I have, as the gentleman knows, is that you are absolutely correct when you represent that there may be a difference in the size of Government, but there is not a difference in the fact that the size that we agree on should continue to operate effectively and efficiently. That could be accomplished, of course, by what we call a simple CR; that is, simply saying at such level as can be agreed upon

Government will operate while we debate.

□ 0930

The problem we have, as all of us know, is that for the last eight or nine words as to whether or not we agree on a particular formulation to get to a balanced budget, which is not per se affected by the operations of Government, obviously the operations of Government and the size will be affected by the balanced budget, but not the other way around. I do not know whether we can get there. I would hope during today that we all work very diligently to try to come up with some sort of formula that will get the Government back to work on Monday while we debate the differences that we have, and I appreciate the gentleman's comments. I hope that is the direction we can go.

Mr. SOLOMON. As the gentleman knows, I have a great deal of respect for our Federal employees. You know there are a lot of good employees out there, and they work for less than the private sector. They are conscientious, and I do not like to see people up here nitpicking them.

I personally want to abolish certain departments and shrink the size of the Government, but again we have to keep that Government functioning and with the good employees that we do have here.

Again, I just hope we can move this legislation. As soon as we adopt this rule, we take up the second one. We will go right upstairs and we will get the VA-HUD bill out here so we can get the Government back working.

Mr. BEILENSEN. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I am going to support the rule.

I would just like to make a few statements here. I did not vote for a constitutional amendment to balance the budget, nor did I vote for the Republican plan on reconciliation in the budget, 7 years. I did vote for the continuing resolution that says the President and the leaders of the Congress sit down and, in the time frame of 7 years with no mandates placed on how they reach that, to go ahead and balanced budget.

Every American wants a balanced budget. I do, too. Let us tell it like it is here today. The deficit is exactly what has been stated in the paper. The Congress says we commit to a 7-year budget. The White House is now saying our goal is 7 years or a mutually agreeable time frame that these negotiators would reach.

Let us get on with it. I have never heard of one President in the last 20 years that ran for office who did not make a commitment to balancing the budget. Now, the President made a commitment in the campaign for 5 years. When I voted for that CR, it did not say to the President how and what he must do. I had confidence the Presi-

dent would say, "Let's take care of Medicare." That is my concern too.

But I want to tell you something here on the House floor, the American people are confused. They are confused that people are not back to work and they are confused because they know, and what bothers me is we will not balance the budget with the trade numbers we have at record levels. Our balance of payments is negative, and each year continues to be negative, and we have a tax code that is destroying growth. There is nothing in here that changes that tax code, and I voted for the tax cut. I think we are overtaxed, overregulated. We are chasing jobs away, ladies and gentlemen.

Let me say this: If the difference that is keeping 800,000 workers home, shutting down our government, is the difference between goals and commitment, then beam me up here, Mr. Speaker, we have failed.

I am recommending here today that the Democrats and Republicans and the White House get together in a small room, turn up the heat, chili, baked beans hard-boiled eggs, close the doors and nobody leave the room until they work out the differences with some words.

All the Democrats, all the Republicans make all of these campaign promises. I did not even vote for the promises you make, but damn it, if you have a commitment when you are running, you should have a commitment once you are elected, and both parties should get on with the commitment to our Government.

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to the distinguished new Member, the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Ohio who preceded me here in the well because I think he refocused the real issue here.

I listened with great interest to the distinguished ranking member on the minority side from appropriations when he offered the following construct. He said, if I can remember his words accurately, that what was going on here was an exercise essentially to get the President of the United States to agree with the goal of the Speaker. With all due respect to my good friend from Wisconsin, I am simply asking, and I think the majority of the Members of this House are simply asking, is for the President to finally come to agreement with himself.

The words are here from the State of the Union Address, February 17, 1993, the President's first State of the Union message, which I watched as a private citizen. Quoting the President now, "I will point out that the Congressional Budget Office was normally more conservative about what was going to happen and closer to right than previous Presidents have been. I did this so we could argue about priorities with the same set of numbers."

The President Clinton of 1993 stated it clearly. The President Clinton of 1995

takes a different view, and as my good friend from Wisconsin pointed out when he disagreed with the President even committing to the notion of a balanced budget, in the new incarnation from the President, over 10 years, he said words to the effect, if you do not agree with President Clinton wait around, his position is bound to change. I respect my good friend from Wisconsin for that observation as well.

So let our friends from the minority join with us in the majority again to renew our commitment to these honest numbers given us by the Congressional Budget Office, commit to the goal and the reality of a balanced budget within 7 years.

In the meantime, while the disagreements continue, in the meantime, as we work to get past this impasse, let us work today where we can make change, where we can restore the rightful job responsibilities and the activities of the Federal Government; therefore, let us move, let us move to say "yes" to the rule, and "yes" to the legislation at hand as we move in a reasonable, rational manner to restrain, yes, but also to restore the essential functions of government.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. SCARBOROUGH].

Mr. SCARBOROUGH. Mr. Speaker, I rise in support of this rule and simply want to clarify even more some statements made by the gentleman from Arizona regarding what the President said in 1993.

The President said that those CBO numbers were the most accurate numbers because they had been the most conservative. But the fact of the matter is, even for the 12 years prior to the President's 1933 statements, those CBO numbers will be too optimistic, and we have seen administrations on both sides of the aisle, Republican administrations and Democratic administrations, use rosy scenarios that ended up causing crushing Federal debt and a crushing Federal deficit.

We have got to get serious on this, and we need to hold the President down. I have 25,000 Federal employees in my district. There is nobody who wants to see Federal employees go back to work more than I do.

But what is at stake here today and throughout this next week is making sure, when they go back, that we will finally have the President nailed down to a framework and a commitment to balance the budget. As the ranking member from Wisconsin said earlier this year, if you do not agree with what the President is saying, just wait around a couple weeks, he is sure to change his mind again. Well we cannot afford that anymore. This is a President who campaigned to balance the budget in 5 years. It is a President who earlier this year, as the Washington Post said this morning, sent a budget to the Senate that had no end to deficits in sight. It was voted down 99 to

nothing. Then he came back earlier this year and said that he might want to balance the budget in 10 years. Then he came down to 7. Then he went back to 9. And now we finally have him folding and coming back to 7 years.

Now he says he wants to use OMB numbers, numbers that he himself criticized harshly 2 years ago.

So let us go ahead and pass this rule, get on with the business of the day, get this Government started back up, but do it in a way that will ensure financial sanity for future generations.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the distinguished new Member, the gentleman from Maine [Mr. LONGLEY].

Mr. LONGLEY. Mr. Speaker, this is day 5 of the President's decision to furlough nonessential Federal employees.

I was watching the debate in my office this morning, and I have to confess that at least there is one form of amusement that is still open in the city of Washington, and that is listening to the convoluted explanations of the minority party as to why the President does not need to balance the budget.

I would remind everyone that in his campaign in 1992, he said that he was going to balance the Federal budget in 5 years. We are now in the third year of his term, and, very frankly, I think a 7-year plan is a reasonable alternative. We are giving him 4 more years to do the job he said he could do than he has asked for. I think that that is an important issue.

It is also important that we understand that after this morning we are now going to have two choices on the President's desk. One is a clean continuing resolution. All that it asks for is a 7-year commitment to a balanced budget scored fairly by the Congressional Budget Office. And No. 2 is, if he does not want to do the heavy lifting and make the tough decisions that need to be made, we have also presented him with a 7-year plan.

Can we improve on it? You bet we can improve on it. We can improve on it if we could get an administration to work with us to make the tough decisions we need to make.

Mr. Speaker, I have one word for the House of Representatives: Just balance the budget.

Mr. BEILENSEN. Mr. Speaker, I yield 7 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I understand what the gentleman from Maine just said, and we all know what is going on. The President is trying to make his point, and the Republicans are trying to make their point.

The gentleman from Maine, who is new here but, I am convinced, knows full well that if all the appropriation bills had been sent down and we had resolved the differences between the President and the House, which there are substantial differences, then we would not need a continuing resolution and Government would not be shut down.

The fact is, as the gentleman knows, that most of the appropriation bills have not been sent on to the President. As the gentleman also knows, there are substantial differences. As a matter of fact, there were substantial differences in your own party with reference to the Interior bill, which was recommitted with many votes from your side of the aisle.

Although we are going to move ahead, and I am not opposing this rule because I think we want to move ahead, everybody here knows there are substantive differences on the VA-HUD bill. There are substantive differences on the Commerce-State-Justice, both of which, in my opinion, will lead to the President's rejecting them on policy grounds.

The fact of the matter is you want to make your point, which is a political message point on the 7-year balanced budget. I understand that. But the fact of the matter is that sending messages, which is what you are doing, because, in my opinion, the CR for which I voted, as the gentleman probably knows, the last page, the 16th page, was a message page. It had no legal impact on either the Congress or the President. Ultimately, it was a message page trying to get him to sign on to something that he may then say, "Well, that is not exactly what I meant," and you would make the political point.

Mr. LONGLEY. If the gentleman will yield, why did he not just agree to it?

Mr. HOYER. For exactly the reason I just stated, I tell the gentleman from Maine. You are trying to send a message and put the President in a box which has nothing relating to the balanced budget. The question, the fact of the matter is, the balanced budget and bringing to balance within 7 years dealt with a bill that we passed yesterday and that I understand will be coming back from the Senate, the reconciliation bill.

□ 0945

That is the bill, as the gentleman must clearly know, on which we will debate this issue as to how to balance the budget, when to balance it, the time frame, and whether Medicare gets cut deeply while tax cuts for the wealthiest Americans are put in place. I do not want to get into partisan debate on those issues at this point in time, but it does not relate to the operations of Government on Monday, this coming week. The gentleman must know that.

Mr. SOLOMON. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, let me just say to the gentleman, you know, it could be political somewhat. But let me just tell the gentleman something. It does have bearing on these appropriation bills. You know my feeling. I have been one of the leaders in biting the bullet and introducing balanced

budgets for years here that really were hard to take. It was hard to take back home, because this cuts my constituents \$850 billion.

Mr. HOYER. Mr. Speaker, reclaiming my time, the point is in 1985 we passed, what was it, Gramm-Rudman, and put us on this glidepath to the balanced budget. You know what happened. By 1990, it had disappeared.

We cannot let that happen again. Each one of these appropriations bills, and let me just digress for a minute, the reason it happened was because in each succeeding year, we did not follow through, and those appropriation bills, as the gentleman knows, did not follow the balanced budget.

Mr. SOLOMON. Mr. Speaker, if the gentleman will continue to yield, my point is this is not politics. We do not want this to happen like it did before. We have to stay on that glidepath. The President, in good faith, needs to just affirm that he and we are going to work in that direction. That is all we are asking.

Mr. LONGLEY. Mr. Speaker, if the gentleman will yield, a very quick comment. Whether we balance the budget on a 3-year, 5-year, 7-year, 10-year or never basis makes a fundamental difference in the way this Chamber will approach the budget. The question is we have to have some type of agreement on the fundamental principal that the Federal Government will live within its limits. We think the 7-year limit is the way to do it. Wouldn't it be better if we could work together toward that objective?

Mr. HOYER. Mr. Speaker, reclaiming my time, the gentleman is clearly correct. However, let me comment on the comments of the chairman of the Committee on Rules, who is my friend and for whom I have a great deal of respect. Essentially with Gramm-Rudman, both I and II, the gentleman knows that, the Committee on Appropriations was within 602(b) requirements every year. That was not the reason we did not get to balance under Gramm-Rudman, period. The Committee on Appropriations in fact in every one of those years, maybe save one, was appropriating less than Presidents Reagan and Bush asked for.

Having said that, I believe very strongly we have to get to balance. I voted for an amendment to do so, I voted for budgets to do so, and I voted for the coalition budget which gets there faster than your alternative. It does not do some of the policy things that you think are right to do, that I think are wrong to do. We are going to argue about that. But I say again to my friend from Maine, the continuing resolution—this is not the continuing resolution, we are debating a rule—but the continuing resolution, we are debating a rule—but the continuing resolution is not the document that gets you to balance, period.

Now, there is a difference between the President and the Congress. We will have to work that out in the

Democratic process, and we will work it out within the context of reconciliation bills. In point of fact, the appropriation bills, which you are passing, are within your 602(b)'s. They are within the framework of spending that you have allotted.

All of those bills, he will sign them within the 602(b)'s. Within those 602(b)'s, we have differences. The American public has differences. They say in polls they are a third for one person, Powell, a third for Clinton, and about 30 percent for DOLE in a three-way. Now Powell has withdrawn. But the American public has differences. They understand that. In their families they have to resolve differences. What they do not do in their families is shut off the heat, lock the house door and not let any of the family come in. They continue operations while they are trying to resolve their differences.

What you are trying to do, I suggest to the gentleman from Maine, is in effect lock the door, shut off the heat, and force the President to come to an agreement that he does not agree with.

In the past we have passed CR's which were relatively clean and that ultimately the President and the Congress agreed upon, because we never passed a CR over the President's veto, not once. Not once.

Did the gentleman hear me? The Democratic House and Senate never passed a CR over President Reagan or President Bush's veto. Not once, so that every agreement to carry out the operations of Government was done with an agreement ultimately between the President and the House and the Senate.

Mr. LONGLEY. Mr. Speaker, if the gentleman would yield further, I would just add, for the benefit of the gentleman's information, that during the Reagan years I was not a Republican, I was not a Democrat, I was an Independent. My presence in this body should not be interpreted as in any way sanctioning what took place in this Congress during the 1980's.

When the President on Wednesday evening fundamentally rescinded any commitment whatsoever to a 7-year balanced budget, he has irrevocably changed the dynamic of our discussions with the administration.

Mr. HOYER. Mr. Speaker, reclaiming my time, as my friend saw on the front page of the Washington Post, "Clinton drops objection to ending deficit in 7 years." In fact, he reached agreement, as I understand it, essentially with the Senate yesterday on language that would have gotten us off of this disagreement.

Mr. DIAZ-BALART. Mr. Speaker, I yield 5 minutes to the distinguished and experienced gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Speaker, I appreciate getting this time.

Mr. Speaker, in listening to the debate and looking at the votes and the comments that have been made over the last week, one would think that

the two things that we were debating were President Clinton and Speaker GINGRICH. We seem to be in the dialog talking by each other. I know my friend from Maryland, Mr. HOYER, said that he was committed to the 7-year budget, but he also said that he did not like our priorities. I can understand that. That is why we have two political parties, and that is why we have differences of opinion even within the parties.

Unfortunately, what has happened here is I think that there have been too many ultimatums thrown out that have prevented people from bargaining. Unfortunately, the Speaker and the President have become the issue. There is no question, and we all know that President Clinton made a commitment for a 5-year budget when he ran for President. He now has gone, and we have all seen the TV advertisement that is on, that has him saying everything from 5 to 10 years. But one thing is in all of those statements and one thing that is in the thought of I think every Member in this House: We have got to go forward for a balanced budget.

Now, if the President had gotten on to the balanced budget, 7-year, and adopted that 2-years ago, we would only have 5 years left from today. But with our 7 years, that would have given him 9 years to balance the budget by putting our 7 years on top of the 2 years that he has already been in office.

Unfortunately, the Congress and the President have not moved forward. As everyone talks a good talk, no one is walking the good walk. We have got to go forward to a balanced budget.

Now, where do we go from here? The gentleman from Maryland [Mr. HOYER] says we are sending messages. Yes, we are sending messages. We know the bill we are going to send over to the President is going to be vetoed. But let us have the President send a message back. The President says that he is willing to talk 7 years, but he is not willing to commit to 7 years, so we have a fundamental disagreement as to where you can get an honest count.

It is our position over here that what President Clinton agreed to early on of using the Congressional Budget Office is where we want to be and is where we want to stay, because we feel that is where we are going to get our honest count.

But, fine, instead of arguing over the scorekeeper, instead of arguing over all of these things and personalities, let the President send us a message back. Let him give us a 7-year budget, and let him use his scorekeepers, and we will have our scorekeepers score it. If we are anywhere close and if the thing can possibly be reconciled with the House budget, then, fine, let us negotiate that.

Let us get down to negotiating the specifics and quit throwing spears back and forth. The American people are fed up with it, it is time for this to stop,

and we have got to move the agenda and move the debate to the facts and get on with the Government.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Maryland.

Mr. HOYER. One of the pieces of good news I think for the American public is I think on the floor right now we have people, if we sat in a room we could resolve this frankly in about 10 minutes.

Mr. SHAW. Could we sell it to either one of our caucuses? That is the question.

Mr. HOYER. I appreciate the gentleman yielding further. Let me read three lines that were the offer of the President of the United States in substitution of the language that was in the CR, because I think it accomplishes what the gentleman from Florida just articulated.

The goal of the negotiations is to enact a budget agreement that balances the budget in 7 years under Congressional Budget Office's economic assumptions, or in a time-frame and under economic assumptions agreed to by the negotiators.

Your side did not like the last phrase, because it did not bind the President to the CBO assumptions. As the gentleman knows, he believes the CBO assumptions are not correct. There are many private sector economic analysts who also believe they are more conservative in terms of growth and other statistics.

Having said that, this language says 7 years, CBO as a basis, and it does leave, yes, some options for the negotiators to go beyond that. Clearly, it is not exactly what you wanted. But I suggest to my friend, it was offered in good faith to try to get to where your side believes we ought to go, and that is 7 years. I agree with that.

Mr. SHAW. Mr. Speaker, reclaiming my time for a moment, that is just the point. That is exactly the point that I am making, is that we cannot agree on the scorekeeper. We want what is what we believe to be an honest scorekeeper, which is CBO. Fine, we cannot agree to that.

So that is what I am talking about. Let him go ahead and send us his balanced budget, and let us try to negotiate it, and then we will have it scored. He will use his scorekeeper; we will use ours. If we are going to get into an agreement on the CR, we feel very strongly we need to use the CBO figures, because the gentleman knows and I know, and we have been around here about the same length of time, if you adjust that interest rate or project an interest rate a quarter of a point, an eighth of a point, all of a sudden all of the economic assumptions change. This is what we call smoke and mirrors. You can develop an economic assumption so that anything would balance, even our current level of spending, if you come up with the right economic assumptions.

Mr. HOYER. If the gentleman will yield further, we do both agree, do we

not, this will ultimately be incorporated in the reconciliation bill, any agreement?

Mr. SHAW. Eventually, it will have to be translated into that.

Mr. HOYER. That is what we ought to debate it on, and not hold hostage the operations of Government at whatever size, as the chairman says, we agreed on.

Mr. BEILENSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. SABO], the distinguished ranking member of the Committee on the Budget.

Mr. SABO. Mr. Speaker, I thank the gentleman for yielding time.

Mr. Speaker, I would just like to compliment the gentleman from Maryland [Mr. HOYER] for his thoughtful statement. We are in this incredible situation where we seem to be arguing how you get to the table, and it is fairly simple: Go. The reality is that we need to pass a continuing resolution because Congress has not passed appropriation bills.

Let us get that taken care of and pass the CR. The majority, to their credit, passed a bill reflecting their view of how the budget should be balanced yesterday. I think it is a bad bill. I hope and know the President will veto it. Then you have to negotiate. Let us hope we do not end up quarreling whether it is a square or round table. Let us just get people there. Go.

Some of this discussion of scorekeeping, people have to exercise good judgment. The ultimate scorekeeper is Congress and the people who negotiate. CBO is advisory to us. I think we should follow their judgment. But, if they are wrong, then we should look at the facts.

The reality is in lots of programs, how you structure them depends on what demographics are projected. CBO may be right, OMB may be right, someone else may be right. The goal of negotiators should be to be as accurate as possible.

We tend to say we have this judgment on different predictors. They are all honest, hard-working folks, making their best judgment. Let us hear from them, figure out what is accurate, and structure programs appropriately.

Amazingly, I look at revenue projections for 1996, and CBO and OMB come out to the exact dollar, using different assumptions, different methodology. This is all crazy stuff we are talking about here. Let us get our work done. Let us get on with negotiations so we can solve the problem.

□ 1100

I think that is what the gentleman from Maryland [Mr. HOYER] is saying.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. SABO. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his comments.

Mr. Speaker, the frustration, I think, that the American public has is that

they see us saying, yes, we want to get to a balanced budget. The President now says that he is prepared to negotiate to get there in 7 years. I think that is correct. Others differ, but I think that is correct.

The fact of the matter is, though, whatever CR we pass will not impact on it; it will be the reconciliation bill which has not yet passed this body. I understand it is coming back from the Senate today.

It will be on that bill that we will have to have this very substantive, sometimes contentious, but very important debate, because the gentleman is correct, those assumptions, as the chairman in exile of the Committee on the Budget points out, make a great deal of difference.

So I appreciate the comments of the gentleman from Minnesota [Mr. SABO]. I appreciate the work he has done. I would hope that we could get this CR behind us and get Government operating and then come to grips with a very important, and I agree with the Speaker, historic debate on how we get the finances of this country under control and in order, priorities with which I know the chairman and I agree, but with which everybody in the body may not agree.

Mr. Speaker, I thank the gentleman for yielding.

Mr. SABO. Mr. Speaker, reclaiming my time, I would just make this observation. I happen to think we can balance the budget in 7 years. I do not want to balance it in 7 years under the Republican budget. I suspect they do not want to balance it in 7 years in a plan that I would draft.

So there are conditions by all of us. So we must sit down and try to work out a very, very difficult, but very important problem.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Speaker, we are now going to have this morning as a part of the rule the segment of the debate right now that deals with the rule to allow us to have legislation to be considered the same day that it comes out from the Committee on Rules.

What we have today before us, Mr. Speaker, is the Balanced Budget Act of 1995, which has been slightly changed by the Senate for the House to consider. It is my belief that we should adopt that legislation for all Americans. The benefits of a balanced budget amendment will accrue to all Americans in decreased mortgage payments, decreased car payments, decreased tuitions and, hopefully, even decreases of health care costs.

Mr. Speaker, every other government, whether it be school district, township, borough, city, county, all balance their budgets, as well as families balance their budgets.

The original bill had Medicare reforms in it. We sent back to the President legislation which removed that. In

my opinion, and I think the opinion of most Members of this House, that should have been adopted by the President. If we have the gentleman from Minnesota [Mr. SABO] oversee the President with the 7-year commitment, I am sure we could adopt that, and we could have the President join us in it.

The balanced budget amendment should be something unanimous. There is no one in this Chamber who is for an unbalanced budget. So I hope we will follow the guidance of the gentleman from Florida [Mr. SHAW] when he says, let us get the President to the table, let us get it resolved, and for the benefit of all Americans, let us adopt the balanced budget amendment.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. COX], the distinguished chairman of the Republican Policy Committee.

Mr. COX of California. Mr. Speaker, as has been pointed out several times in the course of this debate, the President came to the well of this House and told us in his 1993 message that it was time to stop relying on White House rosy estimates, and it was time to rely on the trustworthy estimates of the Congressional Budget Office. He got a standing ovation from the Democratic side of the aisle. We are asking him to keep that promise.

It has been pointed out by some, by one of our colleagues in debate yesterday that, well, that was when the Congressional Budget Office was on our Democratic payroll. However, we have to keep in mind that the Balanced Budget Act that we are going to be considering, one that we already voted on yesterday and that we hope comes back to us from the Senate, is based on the estimates of the Congressional Budget Office, made under the direction of Robert Reischauer, who was the Democrats' appointee to head the CBO. June O'Neill did not come on to run the CBO until afterward.

These are the Democratic staff estimates at the CBO. All that happened in the August update under June O'Neill was to move those estimates slightly closer to what the White House had, so the White House is not going to be complaining about that.

There is a videotape that some of my colleagues may have seen that collects all of President Clinton's statements on how long it should take to balance the budget, back to back to back to back, all of his statements, starting with his appearance on the "Larry King Show" when he said, I am going to present a plan to the American people to balance the budget in 5 years.

Then he says, 7 years is the right period of time. Then 9 years, most recently 10 years, and then back between 7 and 9. Then he said 10 years and presented a plan to balance the budget in 10 years that, in fact, according to CBO, did not.

It is time for the President, who most recently now has said he will veto any 7-year budget, then even later said,

maybe we will talk about it, to decide this question.

Mr. TIAHRT. Mr. Speaker, I thank the gentleman from Florida for yielding time to me.

I think the American public is a little tired of the Government chasing its tail, and I think we have started debate a little early, but I think that is really what it is going to be about over the next 7 years as we come to struggle with what is going to be inside that budget in 7 years.

It is that one phrase that the gentleman from Maryland brought up, I think, that bothers the American public so much. The options to go beyond 7 years. I know that the freshman class that I am a member of is very hard and fast on 7 years.

How many votes have come up in the last 20 years about the balanced budget? How many times has this body voted on a balanced budget? Many, many times. The real issue is, can we do it? Do we have the discipline? Everybody wants to say, yes, we do.

Well, let us put it in writing. Let us live by it. Let us negotiate the terms, as the gentleman from Minnesota [Mr. SABO] said. Let us negotiate the terms of what is going to happen inside that balanced budget. But let us make a hard and fast rule, 7 years, let us draw a line and say, we can do it, and let us just argue about what is inside. I think that is what the American public wants, and I think that is certainly what the freshman class wants is a 7-year plan to balance the budget.

Mr. DIAZ-BALART. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. BOEHNER], the distinguished chairman of the Republican conference.

Mr. BOEHNER. Good morning to all my colleagues on this great Saturday morning, and I see the debate about balancing the budget continues to go on.

Yesterday, I think that the House and the Senate both proved to the American people that we can, in fact, balance the budget in 7 years. We did it. We brought the documents here, we laid them out, we had a great debate, and they passed on both Houses.

This issue over CBO numbers and OMB numbers, this is not just about numbers, it is about the fact that the President wants to spend \$875 billion more over the next 7 years than what we want to spend.

Mr. Speaker, if we can balance the budget in 7 years, which we proved yesterday, it is all about whether we are going to spend more of our children's inheritance, whether we are going to snatch more of the American dream away from our children, or whether we are going to stick to real numbers, certified by CBO; or whether we are going to do the same thing the politicians in this town have done for 30 years. And that is, just kind of mush the numbers together, make them work, and sell out our children.

We are not going to do that.

Mr. DIAZ-BALART. Mr. Speaker, I yield the remainder of our time to the gentleman from Illinois [Mr. WELLER], a dynamic and distinguished new Member.

(Mr. WELLER asked and was given permission to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, Members of the House, I stand in support of this rule, because this rule is exactly why we are here. We are here because the American people sent us to do what every American family does, and that is to live within our means and to balance the budget. Republicans and a growing number of moderate and conservative Democrats agree, it is time to balance the budget.

Who stands in the way? The limousine liberals, the tax-and-spend Democrats oppose a plan to balance the budget.

We have a plan to balance the budget in a responsible fashion over the next 7 years.

By the way, we increase spending on Medicare by 54 percent, \$355 billion over the next 7 years. We reform welfare and emphasize work; we provide tax relief to working families.

Mr. Speaker, the telephone calls that I am receiving in my offices are nine-to-one in favor of balancing the budget and holding firm. Mike and Kay Shostic of Manhattan, IL, they say, hang tough. They have three kids who are counting on the Congress to balance the budget.

I say to my colleagues, it is time to get the job done. Let us balance the budget; let us work together.

Mr. DIAZ-BALART. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Laundregan, one of its clerks, announced that the Senate agrees to the report of the committee of further conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2126) "An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H.R. 1058) "An Act to reform Federal securities litigation, and for other purposes," disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. D'AMATO, Mr. GRAMM, Mr. BENNETT, Mr. GRAMS, Mr. DOMENICI, Mr. SARBANES, Mr. DODD, Mr. KERRY, and Mr. BRYAN to be the conferees on the part of the Senate.